

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA	§	
	§	
v.	§	
	§	No. 1:22-MJ-00558-DH
(1) ANTHONY STEVEN	§	
MARTINEZ,	§	
<i>Defendant</i>	§	

ORDER

Before the Court is Defendant Anthony Steven Martinez's Agreed Recommended Disposition in Final Revocation Proceeding and Waiver of Defendant's Appearance and Waiver of Hearing, Dkt. 14. Defendant is before the Court on a Petition for Warrant or Summons for Offender Under Supervision, dated August 26, 2022. Dkt. 2. The Petition alleges violations of Mandatory Condition 3 (refrain from unlawful use of controlled substance and submit to drug testing); of a Special Condition 1 (participate in substance abuse treatment); and of Standard Condition 2 (report to probation officer as instructed). *Id.* A warrant was issued, Dkt. 3, and Martinez was arrested on September 12, 2022.

Martinez waived his preliminary revocation hearing. Dkt. 13. Prior to the final hearing, Martinez filed an Agreed Recommended Disposition in Final Revocation Proceeding and Waiver of Defendant's Appearance and Waiver of Hearing, Dkt. 14. Based on the representations in that motion; Martinez's pleas of "True" to the alleged violations; the original offense and the intervening conduct of Martinez; the agreed recommendation of the parties; and having carefully considered all the arguments

and evidence presented by the Government and Martinez; the Court accepts the Martinez's waivers and pleas of true and finds that Martinez has violated Mandatory Condition 3 and Special Conditions 1 and 2 of his probation as described in the Petition. This Court concurs that an appropriate disposition is to **revoke** Martinez's term of probation, and to sentence Martinez to 30 days' imprisonment, with no further term of no supervised release to follow.

Because this is an agreed disposition, there will be no objections filed by either party.

IT IS THEREFORE ORDERED that the Defendant's Agreed Recommended Disposition in Final Revocation Proceeding and Waiver of Defendant's Appearance and Waiver of Hearing, Dkt. 14, is **GRANTED**.

IT IS FURTHER ORDERED that Defendant Anthony Steven Martinez's term of probation is **REVOKED**.

IT IS FURTHER ORDERED that Defendant Anthony Steven Martinez be imprisoned for **30 DAYS**; with no supervised release to follow the term of imprisonment.

SIGNED September 19, 2022.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE